

DECISION NOTICE

AND

FINDING OF NO SIGNIFICANT IMPACT

STATE DOCUMENTS COLLECTION **SITE-SPECIFIC FOREST PLAN AMENDMENT EHROGA 24 - FRENCH GULCH PROJECT**

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**Deer Lodge Ranger District
Deerlodge National Forest**

Granite and Powell Counties, Montana

DECISION

Elk Hunting Recreation Opportunity Geographic Area (EHROGA) 24 is located on the east side of the North Flints on the Deerlodge National Forest. It is a 28,000-acre area which is to be managed for a roadless hunting recreation environment (Forest Plan, p. N-8) in conjunction with other management area direction. I have decided to make a site-specific Forest Plan amendment to exempt the French Gulch vegetation management project from meeting this EHROGA standard. Modified Alternative B, which I have selected to implement contingent upon this amendment, will close 1.8 miles of road in EHROGA 24 and will move toward the Forest Plan standard.

I have made this decision because I believe it best meets the intent of the Forest Plan for EHROGA 24 in the interim while the landscape integrated resource analysis (IRA) is being completed. The IRA will determine if in fact the roadless hunting recreation environment standard with associated open road density, hiding cover, and elk effective cover (EEC) objectives is appropriate and achievable in this area. The only activity to occur within EHROGA 24 with the French Gulch decision is to increase the miles of road restrictions during hunting season, thereby reducing open road density. No harvest or underburn activities would occur. (Refer to the French Gulch EA, pp. III-32 and IV-9, for further discussions of the existing condition and effects of implementing the specified road restrictions.)

Opportunities to further improve the road density are limited by the fact that most of the EHROGA is already in an unroaded state. The only roads that will be open following implementation of Modified Alternative B are roads that access private lands. Until the IRA is complete and tradeoffs are evaluated, I do not feel it is appropriate to close these roads and deny access to the general public while still providing access to the private landowners. The objective of 0 miles of open roads will be exceeded by 0.12 mile per square mile, a total of 9.1 miles in the 28,000-acre EHROGA.

The natural vegetative conditions do not allow for a hiding cover value of 40%, the Forest Plan objective. Due to the areas of talus and rocky slopes (non-cover), the cover component is approximately 24%. Very little harvesting has occurred in the EHROGA, and no vegetation in the EHROGA will be affected with the French Gulch project. Thus there is no opportunity to improve upon this condition.

The resulting EEC (comprised of open road density and hiding cover) does not meet the objective of 100%. A future determination will be made to decide if the 100% EEC is appropriate based on the road and cover conditions. Following implementation of Modified Alternative B, I feel the EHROGA will be in a condition very near the intention of the Forest Plan standard and that we are moving toward the standard.

This site-specific amendment is applicable only to the French Gulch project. It is not applicable to other portions of the Deerlodge Forest or to future harvest activity in EHROGA 24.

PUBLIC NOTIFICATION

The travel management activities for EHROGA 24 are described in the EA (September 1992). The EA described the existing condition and effects of implementation of the action alternatives. Within the discussion, it was identified that the action would be inconsistent with the Forest Plan direction for a roadless hunting recreation environment (EA, p. IV-9). The public was encouraged to review and comment on the EA for 30 days following the September 1992 distribution. The only public comment received regarding this issue was from a party identifying the need for a Forest Plan amendment. The supplementary information letter of March 1, 1993, identified the intent to prepare an amendment in conjunction with the French Gulch decision.

CONSISTENCY FINDINGS

I have determined that this decision for a site-specific amendment to the Deerlodge Forest Plan is consistent with NFMA requirements (36 CFR 219) as well as direction given by the Forest Service for implementation of Forest Plans (FSM 1922.41). This site-specific amendment follows the NEPA requirements necessary for a Forest Plan amendment. Based on the applicable requirements, this is not a significant amendment to the Forest Plan, and the impacts have been adequately described in the French Gulch EA.

The decision to implement this amendment in conjunction with Modified Alternative B as described in the French Gulch Decision Notice is consistent with the Forest Plan. This amendment does not change the level of goods and services that the area is anticipated to provide based on the Forest Plan, and it does not have an economic impact. As well, it does not change the Management Area designations or future management direction of the area.

FINDING OF NO SIGNIFICANT IMPACT

I have determined that this site-specific amendment to the Deerlodge Forest Plan (which exempts EHROGA 24 from meeting the EHROGA standards during implementation of the French Gulch project) is not a major Federal action that would affect the quality of the human environment (40 CFR 1508.27). Therefore, an Environmental Impact Statement will not be prepared. This determination is based on the consideration of the context of the action as discussed in the French Gulch EA. This amendment will have effects only to a small geographic area, specifically EHROGA 24, and it will be for a temporary period of time.

I have also determined, by considering the following factors of intensity, that the severity of the effects is not significant:

- 1. Impacts that may be both beneficial or adverse.**

The known and suspected impacts from the travel management actions are described in Chapters II and IV of the French Gulch EA. There were no effects identified that would indicate significant impacts caused by not meeting the existing Forest Plan standard or that would preclude a site-specific amendment.

2. The degree to which the proposed action affects public health or safety.

There were no effects associated with this decision that would affect public health or safety.

3. Unique characteristics of the geographic area.

No unique geographic characteristics were identified in EHROGA 24, and the scope of the amendment would not pose a threat to any unique characteristics that would be identified in the future.

4. The degree to which the effect on the quality of the human environment is likely to be highly controversial.

Based on the analysis and disclosure of effects in Chapter IV of the EA, the effects of the travel management proposal are similar to past actions. Based on the intensity of the effects, the effects of the amendment are not likely to be highly controversial.

5. The degree to which the possible effects on the human environment involve unique or unknown risks.

This action does not involve any unique or unknown risks or any risks that are highly uncertain.

6. The degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration.

Effects of this action are minor and short term in nature. Future analysis will be conducted which will determine the suitability of the existing Forest Plan standard; thus, this is not an irreversible decision, nor will it establish a precedent for future actions.

7. Whether the action is related to other actions with individually insignificant effects but significant effects when considered cumulatively.

Chapter IV of the EA discusses the combined effects of the travel management activity with other past, present, and reasonably foreseeable actions. Based on this discussion, there are no known effects which, in combination with other activities, would have significant effects.

8. The degree to which the action may adversely affect districts, sites, highways, structures, or objects in or eligible for listing in the National Register of Historic Places or may cause loss or destruction of significant scientific, cultural, or historical resources.

This action will not affect the Pioneer/Gold Creek Historic District boundaries or the eligibility for the historic district to the National Register of Historic Places. Based upon this information, I conclude that implementation of the amendment will not cause loss or destruction of significant scientific, cultural, or historic resources.

9. The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act of 1973.

The results of the Biological Evaluations for the French Gulch decision conducted for fish, wildlife, and plants indicated that no adverse effects will occur to threatened, endangered, or sensitive

species. Based upon these determinations, I conclude that this action will have no adverse effect to species or their habitat determined to be critical under the Endangered Species Act.

10. Whether the action threatens a violation of Federal, State, or local law or requirements imposed for the protection of the environment.

This decision complies with all laws and regulations for the protection of the environment. This is documented in the EA in conjunction with the other project activities. Refer to the EA, pp. I-4,5, II-25, III-2,9,10,21, and IV-26,27,32,39,51 for discussions on laws related to NEPA and NFMA and those for protection of water, air, cultural resources, and regeneration. Refer to the Biological Evaluations (Attachment 1) for discussions about threatened, endangered, and sensitive species.

I conclude that this project is in compliance with statutes imposed for protection of the environment.


ADMINISTRATIVE REVIEW

This decision is subject to appeal pursuant to 36 CFR 217. Any written notice of appeal of this decision must be fully consistent with 36 CFR 217.9, "Content of Notice of Appeal," including the reasons for the appeal. Two copies must be filed with the Regional Forester, Federal Building, 200 East Broadway, P.O. Box 7669, Missoula, MT 59807, within 45 days of the publication of the legal notice of this decision in the Montana Standard newspaper, Butte, Montana.

Implementation may take place seven (7) days after initial publication of the Legal Notice of this decision.

ADDITIONAL INFORMATION

For additional information concerning this project, contact Rob Gump or Glenda Scott, Philipsburg Ranger Station, P.O. Box H, Philipsburg, Montana, (406) 859-3211.


VAN C. ELSBERND
Forest Supervisor
Deerlodge National Forest

3-24-93
Date